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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,363	01/07/2000	Timothy James Graser	RO999-122	2954

7590 03/13/2003

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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/479,363

Applicant(s)

GRASER, TIMOTHY JAMES

Examiner

Anh Ly

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed on 12/31/2002 with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.
2. Claims 1-19 are pending in this application.

### ***Claim Rejections - 35 USC § 102***

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent 5,943,497 issued to Bohrer et al. (herein Bohrer).

With respect to claim 1, Bohrer discloses at least one processor (fig. 1, item 110, col. 5, lines 22-23); a memory coupled to the at least one processor (fig. 1, item 120, col. 5, lines 22-23); class configuration data comprising a plurality of entries residing in the memory, each class configuration entry including a key-value pair, wherein the key includes information relating to a selected processing context and the value includes configuration data for a class in the selected processing context (see fig. 5 and fig. 6, the key value pair here is the factory class and configuration data and class and the processing of the context of the class, col. 4, lines 50-59 and col. 9, lines 32-62); and

an object oriented class replacement mechanism residing in the memory and executed by the at least one processor that generates an instance of a selected class (instance of class: col. 3, lines 5-10 and col. 7, lines 34-38) to access the appropriate entry in the class configuration data (see figs 5 and 6; also see abstract and col. 7, lines 15-21).

With respect to claims 2-5, Bohrer discloses wherein the key comprises context information appended to a class identifier (container ID in this case: col. 8, lines 9-15); wherein the class identifier comprises a class token that comprises a text string (class token: col. 7, lines 34-38 and col. 9, lines 35-40; also see fig. 4, item 302); a factory object that generates an instance of the selected class by accessing the appropriate entry in the class configuration data using the key (col. 4, lines 50-58 and col. 10, lines 10-28) and a key generator mechanism that generates the key from a class identifier and from the context information (see fig. 5 for context of class information; see abstract, col. 4, lines 1-10; also see col. 6, lines 57-67 and col. 7, lines 1-21).

With respect to claim 6, Bohrer discloses retrieving configuration data corresponding to the class in a selected processing context using a corresponding key that includes information relating to the selected processing context (see fig. 5 and fig. 6, col. 98, lines 15-32); and instantiating the instance of class using the retrieved configuration data (col. 3, lines 5-10 and col. 7, lines 34-38; also see col. 9, lines 15-32).

With respect to claims 7-11, Bohrer discloses storing the configuration data with the corresponding key (col. 5, lines 42-55 and col. 7, lines 55-67 and col. 8, lines 1-5); storing the configuration data with the corresponding key comprises the step of generating a key from a class identifier and from the context information (col. 6, lines

57-67 and col. 7, lines 1-21); wherein the key comprises context information appended to a class identifier (col. 8, lines 9-15); wherein the class identifier comprises a class token that comprises a text string (col. 7, lines 34-38 and col. 9, lines 35-40; also see fig. 4, item 302); and generating the key from a class identifier and from the context information (see fig. 5 for context of class information; see abstract, col. 4, lines 1-10; also see col. 6, lines 57-67 and col. 7, lines 1-21).

With respect to claim 12, Bohrer discloses storing configuration data for the existing class using a corresponding key that includes information relating to a selected processing context (see fig. 5, col. 4, lines 50-59); replacing the configuration data for the existing class with configuration data for the replacement class while maintaining the same corresponding key (col. 7, lines 15-21); initiating the creation of an instance of the replacement class (col. 3, lines 5-10 and col. 7, lines 15-21); generating a key that includes information relating to the current processing context (see abstract and col. 4, lines 1-10); retrieving the configuration data for the replacement class using the generated key (col. 9, lines 15-32); and creating an instance of the replacement class according to the retrieved configuration data for the replacement class (col. 7, lines 10-40).

With respect to claim 13, Bohrer discloses an object oriented class replacement mechanism that generates an instance of a selected class by using a key that includes information relating to a selected processing context to access an appropriate entry in class configuration data stored external to the class; and signal bearing media bearing

the object oriented class replacement mechanism (see figs 5 & 6 for factory object and context information of class: col. 8, lines 35-54 and col. 7, lines 15-22).

With respect to claims 14-15, Bohrer discloses wherein said signal bearing media comprises recordable media; wherein said signal bearing media comprises transmission media (storage device and floppy disks: col. 5, lines 42-57 and col. 6, lines 45-48);

Claims 16-19 are essentially the same as claims 2-5 except that they are directed to a program product rather than an apparatus (container ID in this case: col. 8, lines 9-15; class token: col. 7, lines 34-38 and col. 9, lines 35-40; also see fig. 4, item 302; col. 4, lines 50-58 and col. 10, lines 10-28; see fig. 5 for context of class information; see abstract, col. 4, lines 1-10; also see col. 6, lines 57-67 and col. 7, lines 1-21), and are rejected for the same reason as applied to the claims 2-5 hereinabove.

**Contact Information**

4. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527 via E-Mail: **ANH.LY@USPTO.GOV**. The examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to: (703) 746-7238 (after Final Communication and intended for entry)


or: (703) 746-7239 (for formal communications intended for entry)

or: (703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
HCSAINT T. ALAM  
PRIMARY EXAMINER

AL   
Mar. 6<sup>th</sup>, 2003.